

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LUIS RICARDO MUNROE,

Plaintiff,

25-CV-3431 (DEH)(SN)

-against-

ORDER

NEW YORK UNIVERSITY, et al.,

Defendants.

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SARAH NETBURN, United States Magistrate Judge:

On May 12, 2025, the Court denied Plaintiff's request for this Court enjoin or issue a stay of his state court housing proceeding. ECF No. 12. The Court explained that it cannot grant an injunction to stay housing court proceedings under the Anti-Injunction Act. 28 U.S.C. § 2283 (the "Anti-Injunction Act" or "AIA"). *Id.*

On May 19, 2025, docketed May 21, 2025, Plaintiff filed an emergency motion to stay the state court housing proceeding. ECF Nos. 14-16. Plaintiff moves for a temporary stay or preliminary injunction arguing that: (1) he would suffer irreparable harm; (2) will succeed on the merits of his federal claims; (3) Defendants would suffer minimal harm as compared to risk of Plaintiff's harm; and (4) there is a strong public interest in enforcing civil rights and protecting disabled veterans. ECF No. 15, at 1-2.

As previously explained in the Court's May 12 order, the Anti-Injunction Act bars a federal court from granting "an injunction to stay proceedings in a State Court." 28 U.S.C. § 2283. There are only three limited exceptions: (1) the express provisions of another act of Congress authorizing such an order; (2) necessity in aid of the federal court's jurisdiction; and

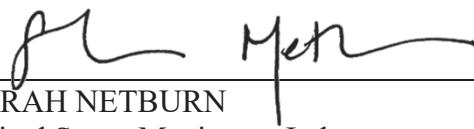
(3) the need to protect or effectuate the federal court's judgments. Id. Plaintiff's arguments in favor of a stay do not fall within the Anti-Injunction Act's narrow exceptions.

Moreover, courts in this Circuit have regularly held that the Anti-Injunction Act bars a federal court from enjoining ongoing eviction proceedings in state court. See O'Neill v. Hernandez, No. 08-cv-1689 (KMW), 2008 WL 2963634, at *1 (S.D.N.Y. Aug. 1, 2008) (holding that AIA "bars this Court from enjoining Plaintiff's eviction proceedings"); Kristopher v. Stone St. Props., LLC, No. 13-cv-566 (RJS), 2013 WL 499752, at *4 (S.D.N.Y. Jan. 29, 2013) (holding that the AIA "bars the Court from enjoining state eviction proceedings, whether via a TRO or a preliminary injunction"); Bosch v. Lamattina, No. 08-cv-238 (JS)(AKT), 2008 WL 4820247, at *1, 8 (E.D.N.Y. Nov. 4, 2008) (holding that AIA barred federal district court from staying state court eviction proceedings against the plaintiff); Baumgarten v. Cnty. of Suffolk, No. 07-cv-539 (JS)(AKT), 2007 WL 1490482, at *3-5 (E.D.N.Y. May 15, 2007) (denying the plaintiff's request for a preliminary injunction because the AIA barred the court from disturbing the eviction proceedings against the plaintiff).

Accordingly, Plaintiff's motion for an emergency stay is DENIED. Plaintiff is encouraged to contact the City Bar Justice Center's Federal *Pro Se* Legal Assistance Project, which could either assist him or refer him to the City Bar Justice Center's Homeowner Stability Project or Veterans Assistance Project. The Project can be reached at (212) 382-4794.

The Clerk of Court is respectfully directed to terminate the motion at ECF No. 14.

SO ORDERED.


 SARAH NETBURN
 United States Magistrate Judge

DATED: May 22, 2025
 New York, New York